

121503  
7707
**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

<i>Attorney Docket No.</i>	1282-BVDV#1-CON3	<i>Total Pages</i>	39 U.S.C. 16018 10/736353
<i>First Named Inventor or Application Identifier</i>			
Daniel C. Pevear et al.			
<i>Express Mail Label No.</i>	EV325929761US	Date Mailed: December 15, 2003	

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

**COMMISSIONER FOR PATENTS**  
**ADDRESS TO:** P.O. Box 1450  
 Alexandria, VA 22313-1450

1. <input checked="" type="checkbox"/> Fee Transmittal Form <i>(Submit an original, and a duplicate for fee processing)</i>	6. <input type="checkbox"/> Microfiche Computer Program (Appendix)
2. <input checked="" type="checkbox"/> Specification <i>(preferred arrangement set forth below)</i>	7. Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i>
<ul style="list-style-type: none"> <li>- Descriptive title of the Invention</li> <li>- Cross References to Related Applications</li> <li>- Statement Regarding Fed sponsored R&amp;D</li> <li>- Reference to Microfiche Appendix</li> <li>- Background of the Invention</li> <li>- Brief Summary of the Invention</li> <li>- Brief Description of the Drawings <i>(if filed)</i></li> <li>- Detailed Description</li> <li>- Claim(s)</li> <li>- Abstract of the Disclosure</li> </ul>	
3. <input type="checkbox"/> Drawing(s) (35 USC 113) <i>(Total Sheets )</i>	8. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))
4. <input checked="" type="checkbox"/> Oath or Declaration <i>(Total Pages 2)</i>	9. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney <i>(when there is an assignee)</i>
<ul style="list-style-type: none"> <li>a. <input type="checkbox"/> Newly executed (original or copy)</li> <li>b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 17 completed)</i> <i>[Note Box 5 Below]</i></li> <li>i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed Statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</li> </ul>	
5. <input checked="" type="checkbox"/> Incorporation By Reference <i>(useable if Box 4b is checked)</i> The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.	10. <input type="checkbox"/> English Translation Document <i>(if applicable)</i>
	11. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations
	12. <input checked="" type="checkbox"/> Preliminary Amendment
	13. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i>
	14. <input checked="" type="checkbox"/> Small Entity Status
	15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i>
	16. <input type="checkbox"/> Other: _____

17. a. If a **CONTINUING APPLICATION**, check appropriate box and supply requisite information.
 Continuation     Divisional     Continuation-in-part (CIP)

of the following application(s), each of which is hereby incorporated herein by reference:

U.S. Patent Application No. 10/359,400, filed February 5, 2003

b. **Priority Applications**

In addition to any applications listed in 17a, the present application also claims priority to the following application(s), each of which is hereby incorporated herein by reference.

U.S. Patent Application No. 09/547,607, filed April 12, 2000; U.S. Patent Application 09/136,818, filed August 20, 1998; U.S. Patent Application No. 08/803,675, filed February 21, 1997

**18. CORRESPONDENCE ADDRESS**

Customer Number 000110 or  
**DANN, DORFMAN, HERRELL AND SKILLMAN, P.C.**  
 1601 Market Street, Suite 2400  
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to the attention of the individual identified below.

 Patrick J. Hagan  
 Registration No. 43,047

# FEE TRANSMITTAL

<i>Complete if known</i>	
Application Number: Not Yet Assigned	
Filing Date: December 15, 2003	
First Named Inventor: Daniel C. Pevear, et al.	
Group Art Unit: Not Yet Assigned	
Examiner Name: Not Yet Assigned	
Total Amt. of Payment: (1)+(2)+(3)= <u>\$385</u>	Attorney Docket Number: 1282-BVDV#1-CON3

<u>METHOD OF PAYMENT (check one)</u>		<u>Fee Calculation (continued)</u>																				
1. The Commissioner is hereby authorized to: <input type="checkbox"/> Charge indicated fees <input checked="" type="checkbox"/> Charge additional fees <input checked="" type="checkbox"/> Credit overpayments to the account of DANN, DORFMAN, HERRELL & SKILLMAN Deposit Account Number <u>04-1406</u>		<b>ADDITIONAL FEES</b> <b>Fee Description</b> <span style="float: right;"><b>Fee Paid</b></span> Surcharge-late filing fee or oath _____ Surcharge - late provisional filing fee or cover sheet _____ Extension for response within first month _____ Extension for response within second month _____ Extension for response within third month _____ Extension for response within fourth month _____ Notice of Appeal _____ Filing a brief in support of an appeal _____ Request for oral hearing _____ Petition to revive unavoidably abandoned application _____ Petition to revive unintentionally abandoned application _____ Issue fee _____ Petitions to the Commissioner _____ Petitions related to provisional applications _____ Submission of Information Disclosure Stmt. _____ Recording each patent assignment per property _____ Other fee (specify) <u>Advance Order (10 copies)</u> _____ Other fee (specify) _____ <span style="float: right;">SUBTOTAL (3) _____</span>																				
<u>FEE CALCULATION</u> 1. <b>FILING FEE</b> <b>Fee Description</b> <span style="float: right;"><b>Fee</b></span> Utility filing fee <u>385</u> Design filing fee _____ Plant filing fee _____ Reissue filing fee _____ Provisional filing fee _____ <span style="float: right;">SUBTOTAL (1) <u>\$385</u></span>																						
2. Claims <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th style="text-align: center;">Paid</th> <th style="text-align: center;">Extr</th> <th style="text-align: center;">Fee</th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td style="text-align: center;">7</td> <td style="text-align: center;">- 20</td> <td style="text-align: center;">= 0</td> </tr> <tr> <td>Independent Claims</td> <td style="text-align: center;">1</td> <td style="text-align: center;">- 3</td> <td style="text-align: center;">= 0</td> </tr> <tr> <td>Multiple Dependent (First presentation)</td> <td colspan="3"></td> </tr> <tr> <td></td> <td colspan="3" style="text-align: center;">SUBTOTAL (2) <u>-0-</u></td> </tr> </tbody> </table>			Paid	Extr	Fee	Total Claims	7	- 20	= 0	Independent Claims	1	- 3	= 0	Multiple Dependent (First presentation)					SUBTOTAL (2) <u>-0-</u>			
	Paid	Extr	Fee																			
Total Claims	7	- 20	= 0																			
Independent Claims	1	- 3	= 0																			
Multiple Dependent (First presentation)																						
	SUBTOTAL (2) <u>-0-</u>																					

Submitted By:

Typed or

Printed Name Patrick J. Hagan

Signature Patrick J. Hagan

Reg. Number 27,643

Date December 15, 2003

Deposit Account User ID

04-1406